

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BERTON G. TOAVS)	3:12-cv-00449-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF PROCEEDINGS</u>
)	
vs.)	July 3, 2014
)	
ROBERT BANNISTER, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: Katie Lynn Ogden REPORTER: FTR

COUNSEL FOR PLAINTIFF: Berton G. Toavs, In Pro Per (Telephonically)

COUNSEL FOR DEFENDANT(S): Andrea Barraclough, Esq.

MINUTES OF PROCEEDINGS: Motion Hearing

9:02 a.m. Court convenes.

The court addresses Plaintiff's "Motion to Stay Defendant's Motion for Summary Judgement Plus 30 Days to Answer" (Doc. # 51). Plaintiff argues the stay is necessary because he is awaiting discovery responses and has yet been provided the opportunity to review his medical file and exhibits that are under seal (Doc. # 48, Exhibits 3A-3Q). In light of this, Plaintiff requests an extension of time to file his response to Defendants' Motion for Summary Judgment (Doc. # 47).

Subsequent to the filing of Plaintiff's motion for extension of time, Mr. Toavs explains he has had the opportunity to review Exhibits 3A-3Q with his case worker. However, to date, Plaintiff states he has yet to receive any response from medical regarding a kite he submitted on June 8, 2014, requesting to review his medical files from 2001 to 2010.

Mr. Toavs further explains he has served upon the Defendants requests for admissions and interrogatories but has not received any response from the Defendants. Mr. Toavs states he has a brass slip (# 2065371) from the Northern Nevada Correction Center ("NNCC") law library dated March 27, 2014, indicating he sent the documents to the Defendants; however he does not have any copywork of his actual discovery requests.

Deputy Attorney General Andrea Barraclough represents her records do not indicate her

By: /s/
Katie Lynn Ogden, Deputy Clerk